



**PATENT**

Case Docket No. OPTIS.090A

Date: October 27, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : James R. Braig, et al.  
App. No. : 10/825,223  
Filed : April 15, 2004  
For : SAMPLE ELEMENT WITH  
BARRIER MATERIAL  
Group Art Unit : 1641

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 27, 2004

(Date)

*Mark J. Kertz*

Mark J. Kertz, Reg. No. 43,711

**TRANSMITTAL LETTER**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: MAIL STOP MISSING PARTS

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(f), which was mailed by the Office on June 29, 2004, enclosed are:

- (X) An executed Declaration by Inventors.
- (X) A Power of Attorney and copy of Assignment.
- (X) An extension of time to respond for 2 months is hereby requested.

Time Extension Fee:

(X) two months (\$215 small entity)

(X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

(X) A Notice to File Missing Parts.

(X) Return prepaid postcard.

(X) Fees as calculated below:

11/02/2004 WASFAW1 00000013 10825223

04 FC:2252

215.00 0P

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FILING FEE		\$ 790
FEE FOR EXTENSION OF TIME (LARGE ENTITY)	2 months	\$ 430
SURCHARGE 37 CFR 1.16(e)		\$ + 130
ADDITIONAL CLAIM FEES		\$ 252
TOTAL OF ABOVE CALCULATIONS		\$ 1,602
REDUCTION BY ½ FOR FILING BY SMALL ENTITY.		
Note 37 CFR 1.9, 1.27, 1.28. If applicable, verified statement must be attached. \$ - 801		
TOTAL FEES SUBMITTED HEREWITH		\$ 801

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(X) A check in the amount of \$801 to cover the above fees is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.

*Mark Kertz*

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Mark J. Kertz  
Registration No. 43,711  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404



17W ✓

UNITED STATES PATENT AND TRADEMARK OFFICE

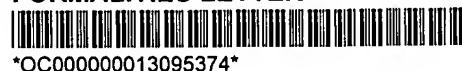
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/825,223	04/15/2004	Unknown	OPTIS.090A

CONFIRMATION NO. 7253

20995  
KNOBBE MARTENS OLSON & BEAR LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA 92614

FORMALITIES LETTER



\*OC000000013095374\*

Date Mailed: 06/29/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$126 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$576** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

11/02/2004 WASFAW1 00000013 10825223  
01 FC:2001 395.00 OP

11/02/2004 WASFAW1 00000013 10825223  
02 FC:2051 65.00 OP  
03 FC:2202 126.00 OP

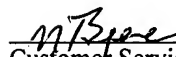
- Total additional claim fee(s) for this application is \$126

- \$126 for 14 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
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Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE